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August 9, 2011

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

The Honorable Kamala Harris
Office of the Attorney General
1300 I Street
Sacramento, CA 95814

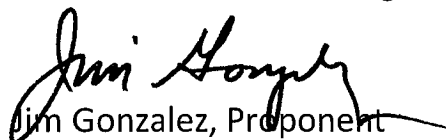
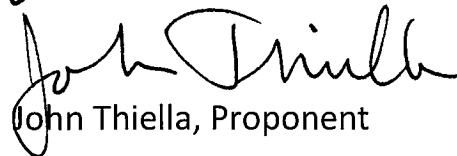
Attention: Initiative Coordinator**RE: Request for Title and Summary**

Dear Attorney General Harris:

We are respectfully submitting the attached initiative, "The Bring Manufacturing Jobs Back to California Act," to obtain title and summary.

Attached please find a check in the amount of \$200.00 to cover the cost of processing this initiative.

Please also find the declarations required under Elections Code Section 9608, and the address to we are registered in the State of California.


Jim Gonzalez, Proponent
Bill Zimmerman, Proponent
John Thiella, Proponent

Contact: Jim Gonzalez and Associates
1830 N Street
Sacramento, CA 95811

916-449-6190

Initiative Measure to be Submitted to Voters

This initiative measure is submitted to the people of California in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure amends, repeals and adds sections to the Government Code; therefore existing provisions proposed to be deleted are printed in ~~strike-out type~~; and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

THE BRING MANUFACTURING JOBS BACK TO CALIFORNIA ACT of 2012

SECTION 1. TITLE

This measure shall be known as "*The Bring Manufacturing Jobs Back to California Act.*"

SECTION 2. FINDINGS AND DECLARATIONS

The People of the State of California hereby find and declare that:

- A. Between 2001 and 2011, California lost 612,000 manufacturing jobs, equal to over 32% of our state's industrial base.
- B. The outsourcing of jobs, particularly for manufacturing products that once had the "Made in America" label, contributes to these losses.
- C. The most recent example of how this outsourcing hurts Californians is the new \$6.3 billion San Francisco-Oakland Bridge Eastern Span, which is being built in China by workers reportedly being paid \$12 per day. The work on this one project alone reportedly represents over 3 million person hours of high wage manufacturing jobs lost to California.
- D. The decline of our industrial base, and the loss of high wage manufacturing jobs, has led to suffering for unemployed workers and frustration for consumers who can't find good "Made in America" products in stores.

- E. A key to reducing our state's double-digit unemployment rate is to bring back manufacturing jobs to California.
- F. For every manufacturing job created, an additional 2.5 jobs are created in the broader economy.
- G. The State of California, counties, cities, districts and local government agencies should curtail spending billions of tax dollars to purchase products for use by state and local government that are manufactured overseas.
- H. With the enactment of a 33% renewable portfolio standard for all California electric utilities by 2020, the development of clean and safe renewable energy sources will require extensive manufacturing of new solar, wind, geothermal equipment, and other materials and equipment to be used in the construction and operation of publicly owned renewable energy facilities.

SECTION 3. PURPOSE AND INTENT

The People of the State of California do hereby enact this measure to:

- A. Bring manufacturing jobs back to California.
- B. Create a market for new manufacturing contracts based upon the unified purchasing power of the State of California and our state's counties, cities, districts, and local government agencies.
- C. Unleash the entrepreneurial skills of California manufacturers who have been forced to close their factories due to anti-competitive outsourcing policies that ignore the human and material costs of shipping manufacturing jobs overseas.
- D. Turn the tide against the continuous outsourcing of California's industrial base.
- E. Leverage a newly created demand for Made in America manufactured products to create real choices for California consumers who want to purchase "Made in America" products.
- F. Assure that the expansion of California's publicly-owned renewable energy industry facilities creates "Made in America" manufacturing jobs.

SECTION 4. Section 4300 of the Government Code is amended to read as follows:

4300. As used in this article:

(a) "United States" means the United States of America, and includes any Territory or insular possession of the United States.

(b) "Produced" includes mined and manufactured.

(c) "Materials" includes articles and supplies.

(d) "Equipment" includes devices, tools, machines, and vehicles.

SECTION 5. Section 4301 of the Government Code is amended to read as follows:

4301. ~~This article does not apply to materials which are of a class or kind which are not, or which are manufactured from materials which are not, produced in the United States, nor to key driven calculators manufactured in branch plants located outside continental United States, but which plants are wholly owned and operated by a corporation the majority of whose stock is owned or controlled by an American manufacturer whose principal manufacturing centers and home offices are located in the United States. Notwithstanding any other provision of law and except as prohibited by federal law, commencing January 1, 2014, the governing body of any political subdivision, municipal corporation, or district, or any public officer or person charged with the letting of contracts for the purchase or lease of any manufactured tangible personal property or for any materials or structural components to be incorporated into real property shall let such contracts only for manufactured tangible personal property or for any materials or structural components to be incorporated into real property that is manufactured in the United States, substantially all from materials produced in the United States. The only waivers, exceptions or exemptions to these requirements are:~~

(a) *For purchase or lease of spare parts for any existing equipment owned by or under lease to any political subdivision, municipal corporation, or district on or before December 31, 2013.*

(b) *For purchase or lease of manufactured tangible personal property or for any materials or structural components to be incorporated into real property the age of which exceeds 60 months.*

(c) *For purchase or lease of any books, newspapers, magazines, journals, or other media, not produced in the United States, for use by libraries, museums, research facilities, or government repositories.*

(d) *For purchase or lease of any artwork, or any historical, cultural, literary, or scientific artifacts intended for display or for research in libraries, museums, research facilities, or government repositories.*

(e) *For purchase or lease by any political subdivision, municipal corporation, or district of specifically identified and particularly described manufactured tangible personal property or any materials or structural components to be incorporated into real property excepted by statutes approved by a simple majority vote of each house of the Legislature and signed by the Governor.*

(f) *For waivers, exceptions, or exemptions in response to an emergency or to protect public health or safety enacted in statutes approved by a simple majority vote of each house of the Legislature and signed by the Governor.*

(g) *Any waiver, exception, or exemption approved by statutes enacted shall be in effect for a period no longer than three years from the effective date of the statute. Such waivers, exceptions, or exemptions may be renewed by law.*

SECTION 6. Section 4302 of the Government Code is amended to read as follows:

4302. ~~This article does not apply to medical and surgical instruments, scientific equipment, microscopes, lenses, or instruments used for scientific or medical purposes, including research.~~

SECTION 7. Section 4302.5 of the Government Code is amended to read as follows:

4302.5. ~~The provisions of this article do not apply to the purchase of sewing machines, regardless of the place of their manufacture or the source of the materials from which such machines were manufactured.~~

SECTION 8. Section 4302.6 of the Government Code is amended to read as follows:

4302.6. ~~The provisions of this article do not apply to the purchase of printing presses of rotary gripper system or single revolution design, which are purchased exclusively for use in schools and colleges for educational purposes; provided, however, that if printing presses of rotary gripper system or single revolution design are manufactured within the United States that only such presses as are manufactured in the United States shall be purchased.~~

SECTION 9. Section 4303 of the Government Code is amended to read as follows:

4303. *Subject to the provision of Section 4301,* ~~The~~ *the* governing body of any political subdivision, municipal corporation, or district, and any public officer or person charged with the letting of contracts for (1) the construction, alteration, or repair of public works or (2) for the purchasing of materials for public use, shall let such contracts only to persons who agree to use or supply only such unmanufactured materials as have been produced in the United States, and only such manufactured materials as have been manufactured in the United States, substantially all from materials produced in the United States.

SECTION 10. Section 4303.5 of the Government Code is amended to read as follows:

4303.5 ~~Any provision of this article to the contrary notwithstanding, any such body or person may let a contract for the purchase of office machines or supplies therefor without regard to the place of their manufacture or the source of the materials from which such machines or supplies are manufactured, except that such contracts or purchases shall be subject to the provisions of Section 4334.~~

SECTION 11. 4304. Section 4304 of the Government Code is amended to read as follows:

4304. *Subject to the provisions of Section 4301, Every every* contract for the construction, alteration or repair of public works or for the purchase of materials for public use shall contain a provision that only unmanufactured materials produced in the United States, and only manufactured materials manufactured in the United States, substantially all from materials produced in the United States shall be used in the performance of the contract. Any person who fails to comply with such provision shall not be awarded any contract to which this article applies for a period of three years from the date of the violation.

SECTION 12. Section 4305 of the Government Code is amended to read as follows:

4305. *Subject to the provisions of Section 4301, The the* name of the person failing to comply, together with a report of the facts constituting the violation, shall be posted by the governing board or person who let the contract in at least three public places in the county in which the contract was made.

SECTION 10. Severability

The provisions of this Act are severable. If any provision of this Act, or part thereof, is for any reason held to be invalid under state or federal law, the remaining provisions shall not be affected but shall remain in full force and effect.

SECTION 11. Conflicting Measures

(a) This measure is intended to be comprehensive. It is the intent of the People that in the event that this measure and another initiative measure relating to the same subject appear on the same statewide election ballot, the provisions of the other measure or measures are deemed to be in conflict with this measure. In the event this measure shall receive the greater number of affirmative vote, the provisions of this measure shall prevail in their entirety and all provisions of the other measure or measures shall be null and void.

(b) If this measure is approved by voters but superseded by law by any other conflicting ballot measure approved by the voters at the same election, and the conflicting ballot measure is later held invalid, this measure shall be self-executing and given full force of law.

SECTION 12. Amendments

The provisions of this act may be amended to carry out its purpose and intent by statutes enacted by a two thirds vote of each house of the Legislature and signed by the Governor.

SECTION 13. Effective Date

This Act shall become effective January 1, 2014 pursuant to Section 10 (a) of Article II.

SECTION 14. Legal Challenge

Any legal challenge to this law must be filed within six months of its effective date.